



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

February 1, 2021

BY ECF

The Honorable Lorna G. Schofield  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Pro Publica, Inc. v. U.S. Dept. of Health & Human Servs.*, 20 Civ. 4092 (LGS)

Dear Judge Schofield:

I write respectfully on behalf of both parties in the above-referenced FOIA matter to provide the Court with a status update, as directed by the Court's Order dated September 11, 2020. *See* Dkt. No. 24.

On September 11, 2020, the Court ordered defendant the United States Department of Health & Human Services ("HHS") to "process and produce responsive non-exempt documents at a rate of at least 1,000 pages per month." *Id.* Accordingly, HHS has been processing and producing such documents each month. HHS completed the first such production on October 13, 2020, completed the second such production on November 13, 2020, completed the third such production on December 14, 2020, completed the fourth such production on January 14, 2021, and will complete the fifth such production on February 16, 2021 (as February 14 is a Sunday and February 15 is a federal holiday). In addition, as the parties previously indicated, HHS has completed searching, processing and producing documents responsive to two of Plaintiff's seven requests. Finally, as the parties also previously indicated, they have agreed on specific searches – including search terms, custodians, date ranges, and locations – for all but one of the seven requests, and the parties have agreed to continue to meet and confer regarding the search for the final request after HHS completes processing the others.

Per the Court's Order, *see* Dkt. No. 24, the parties will provide another status update on March 1, 2021.

We thank the Court for its consideration.

Respectfully,

AUDREY STRAUSS  
United States Attorney

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